IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11646 of 2004

Between:

B. Rambabu, S/o. Narayan Reddy,
R/o. D.No.108, G Block, Sahakar Nagar, Bangalore-92.

..... PETITIONER

AND

The District Collector, Visakhapatnam.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, or direction or the Writ more Particularly one in the nature of Writ of Mandamus declaring the notice (M) Rc.No. 103/2003/C5/dt.9-2-2004 passed by the respondent as illegal, arbitrary, violative of Rule 9,8,5,21 of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes & Backward Classes) issue of community, Nativity and Date of Birth Certificates Rules, 1997

Counsel for the Petitioner:MR.N.JANAKI RAMA RAO

Counsel for the sole Respondent: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The present writ petition is filed questioning the show cause notice dated 9-2-2004 issued by the respondent calling upon the petitioner to explain why his caste certificate should not be cancelled.

Heard learned counsel for petitioner and learned Government Pleader for Revenue.

Though several contentions were raised, learned Government Pleader submitted that the impugned notice is only a show cause notice and not a final order and the petitioner can very well raise all his contentions and submit his explanation before the respondent itself. It is also submitted that a writ petition as against a show cause notice is not maintainable.

Since the impugned notice is only a show cause notice, the petitioner is at liberty to submit his explanation to the same raising all the contentions in support of his claim and the same shall be considered in accordance with law.

Subject to above observation, the writ petition is dismissed. No costs.

_____

N.V.RAMANA,J

9TH JULY, 2004

TVK

To

1.. The District Collector, Visakhapatnam.

2..2CCs to G.P. for Revenue, High Court of A.P. , Hyderabad (OUT)

3.2CD copies

*Form-NIC-OGS/WP{**SPJS**}*